

(i) earned a doctoral degree in a STEM field from an institution of higher education; and

(ii) successfully fulfilled the requirements of the fellowship or temporary rotational posting within a Federal agency.

(C) **LIMITATION.**—The direct hire authority under this paragraph shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the requirements related to the fellowship or temporary rotational posting described under this subsection.

(D) **NUMBER.**—The number of employees appointed and retained by the Federal Government under this paragraph shall not exceed 10 at any time.

Strike section 2204 and insert the following:

SEC. 2204. PERSONNEL MANAGEMENT AUTHORITIES FOR THE FOUNDATION.

(a) **STUDY.**—Not later than 30 days after the date of enactment of this division, the Director shall contract with the National Academy of Public Administration to conduct a study on the organizational and management structure of the Foundation, to—

(1) evaluate and make recommendations to efficiently and effectively implement the Directorate for Technology and Innovation;

(2) evaluate and make recommendations to ensure coordination of the Directorate for Technology and Innovation with other directorates and offices of the Foundation and other Federal agencies; and

(3) make recommendations for the management of the Foundation's business and personnel practices, including implementation of the new hiring authorities and program director authorities provided in section 2103.

(b) **REVIEW.**—Upon completion of the study under paragraph (1), the Foundation shall review the recommendations from the National Academy of Public Administration and provide a briefing to Congress on the plans of the Foundation to implement any such recommendations.

Strike section 2665 and insert the following:

SEC. 2665. APPOINTMENT AND COMPENSATION PILOT PROGRAM.

(a) **DEFINITION OF COVERED PROVISIONS.**—In this section, the term “covered provisions” means—

(1) section 2301 of title 5, United States Code;

(2) section 2302 of that title;

(3) chapter 71 of that title;

(4) chapter 72 of that title; and

(5) chapter 73 of that title.

(b) **ESTABLISHMENT.**—There is established a 3-year pilot program under which the Administrator may—

(1) appoint and manage not more than 3,000 designated personnel of the Administration; and

(2) notwithstanding section 20113 of title 51, United States Code—

(A) notwithstanding any provision of title 5, United States Code, except the covered provisions, appoint and manage not more than 500 of the personnel appointed and managed under paragraph (1); and

(B) fix the compensation of the personnel appointed and managed under paragraph (1) without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, at a rate that does not exceed the per annum rate of salary of the Vice President of the United States under section 104 of title 3, United States Code.

(c) **ADMINISTRATOR RESPONSIBILITIES.**—In carrying out the pilot program established under subsection (b), the Administrator shall ensure that the pilot program—

(1) uses—

(A) state-of-the-art recruitment techniques;

(B) simplified classification methods with respect to personnel of the Administration; and

(C) broad banding; and

(2) offers—

(A) competitive compensation; and

(B) the opportunity for career mobility.

(d) **REPORT.**—Not later than 2 years after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) describes in detail—

(A) the use of the pilot program hiring authority under this section, including pay, qualifications, and classification of individuals hired under such authority;

(B) the methods for recruitment under the program; and

(C) efforts being made by the NASA to address any compensation equity issue that may arise as a result of the program;

(2) analyzes the impact of the program on participants, disaggregated by demographic factors including age, race, ethnicity, gender, education, compensation, and job classification;

(3) compares the demographics of the program participants with the demographics of NASA employees outside the program;

(4) assesses the morale and engagement of the NASA workforce participating in the program, as compared to the morale and engagement of the NASA workforce outside the program; and

(5) makes recommendations with respect to the continuation, modification, or permanent codification of the program.

Strike section 2669 and insert the following:

SEC. 2669. SEPARATIONS AND RETIREMENT INCENTIVES.

(a) **VOLUNTARY SEPARATION INCENTIVE PAYMENTS.**—

Subchapter II of chapter 35 of title 5, United States Code, is amended—

(1) in section 3521—

(A) by striking paragraph (1) and inserting the following:

“(1) ‘agency’—

“(A) means an Executive agency as defined under section 105 (other than the Government Accountability Office); and

“(B) includes the National Aeronautics and Space Administration; and”;

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking “and” at the end;

(ii) in subparagraph (B)(vi)(III), by striking the period at the end and inserting “; and”;

and

(iii) by adding at the end the following:

“(C) shall include an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any other provision of such section 20113(b).”;

(2) in section 3523(b)(3)(B), by inserting “(or, during the 7-year period beginning on the date of enactment of the United States Innovation and Competition Act of 2021, with respect to an employee of the National Aeronautics and Space Administration, including an employee described in section 3521(2)(C), not to exceed \$40,000)” after “\$25,000”.

(b) **EARLY RETIREMENT.**—Title 5, United States Code, is amended—

(1) in section 8336(d), in the matter preceding paragraph (1), by inserting “(including, for the purposes of paragraph (2), an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any

other provision of such section 20113(b))” after “An employee”; and

(2) in section 8414(b)(1), in the matter preceding subparagraph (A), by inserting “(including, for the purposes of subparagraph (B), an employee of the National Aeronautics and Space Administration appointed in accordance with paragraph (1) or (2) of section 20113(b) of title 51, without regard to any other provision of such section 20113(b))” after “an employee”.

SA 2113. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TRADING PROHIBITION FOR 2 CONSECUTIVE NON-INSPECTION YEARS.

Section 104(i) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)) is amended—

(1) in paragraph (2)(A)(ii), by striking “the foreign jurisdiction described in clause (i)” and inserting “a foreign jurisdiction”; and

(2) in paragraph (3)—

(A) in the paragraph heading, by striking “3” and inserting “2”; and

(B) in subparagraph (A), in the matter preceding clause (i), by striking “3” and inserting “2”.

SA 2114. Mr. CORNYN (for himself, Mr. KELLY, Mr. RUBIO, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 497, strike line 11 and insert the following:

(1) For Exploration, \$6,555,400,000.

On page 497, strike line 13 and insert the following:

(3) For Science, \$7,301,000,000.

On page 497, strike lines 15 through 17 and insert the following:

(5) For Space Technology, \$1,100,000,000.

(6) For Science, Technology, Engineering, and Mathematics Engagement, \$127,000,000.

On page 497, strike line 21 and insert the following:

pliance and Restoration, \$390,278,000.

On page 503, strike lines 6 and 7 and insert the following:

gress that next-generation advanced spacesuits and associated EVA technologies are critical technologies for human space exploration and use of

On page 503, line 12, insert “and associated EVA technologies” after “advanced spacesuits”.

On page 510, line 9, insert “THE” before “INTERNATIONAL SPACE STATION”.

On page 512, between lines 7 and 8, insert the following:

SEC. 2621A. TRANSITION STRATEGY FOR THE INTERNATIONAL SPACE STATION.

(a) IN GENERAL.—Not later than 300 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a strategy that—

(1) describes the manner in which the Administration will ensure a stepwise transition to an eventual successor platform consistent with the ISS Transition Principles specified in the International Space Station Transition Report issued pursuant to section 50111(c)(2) of title 51, United States Code, on March 30, 2018;

(2) includes capability-driven milestones and timelines leading to such a transition;

(3) takes into account the importance of maintaining workforce expertise, core capabilities, and continuity at the centers of the Administration, including such centers that are primarily focused on human spaceflight;

(4) considers how any transition described in paragraph (1) affects international and commercial partnerships;

(5) presents opportunities for future engagement with—

(A) international partners;

(B) countries with growing spaceflight capabilities, if such engagement is not precluded by other provisions of law;

(C) the scientific community, including the microgravity research community;

(D) the private sector; and

(E) other United States Government users; and

(6) promotes the continued economic development of low-Earth orbit.

(b) IMPLEMENTATION PLAN.—The strategy required by subsection (a) shall include an implementation plan describing the manner in which the Administration plans to carry out such strategy.

(c) REPORT.—Not less frequently than biennially, the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the strategy required by subsection (a).

On page 523, line 8, strike “2626” and insert “2625”.

On page 526, line 16, strike “2626” and insert “2625”.

On page 527, line 11, strike “2627” and insert “2626”.

On page 535, between lines 15 and 16, insert the following:

SEC. 2628A. HUMAN SPACE FACILITIES IN AND BEYOND LOW-EARTH ORBIT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that human space facilities play a significant role in the long-term pursuit by the Administration of the exploration goals under section 202(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(a)).

(b) REPORT ON CREWED AND UNCREWED HUMAN SPACE FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress a report on the potential development of 1 or more human space facilities.

(2) CONTENTS.—With respect to the potential development of each human space facility referred to in paragraph (1), the report required under such paragraph shall include a description of the following:

(A) The capacity of the human space facility to advance, enable, or complement human exploration of the solar system, including human exploration of the atmosphere and the surface of celestial bodies.

(B) The role of the human space facility as a staging, logistics, and operations hub in exploration architecture.

(C) The capacity of the human space facility to support the research, development, testing, validation, operation, and launch of space exploration systems and technologies.

(D) The importance of workforce expertise and core capabilities at NASA centers, including NASA centers that are primarily focused on human spaceflight, in the development of structures and systems for each human space facility.

(E) Opportunities and strategies for commercial operation or public-private partnerships with respect to the human space facility that protect taxpayer interests and foster competition.

(F) The role of the human space facility in encouraging further crewed and uncrewed exploration investments.

(G) The manner in which the development and maintenance of the International Space Station would reduce the cost of, and time necessary for, the development of the human space facility.

On page 551, strike lines 17 and 18 and insert the following:

2640(b)(2)(A) of the National Aeronautics and Space Administration Authorization Act of 2021.

On page 583, between lines 2 and 3, insert the following:

(e) REPORT ON RESEARCH AND DEVELOPMENT RELATING TO LIFE-SUSTAINING TECHNICAL SYSTEMS AND PLAN FOR ACHIEVING POWER SUPPLY.—Not later than 1 year after the date of the enactment of this division, the Administrator shall submit to the appropriate committees of Congress—

(1) a report on the research and development of the Administration relating to technical systems for the self-sufficient sustainment of life in and beyond low-Earth orbit; and

(2) a 10-year plan for achieving a power supply on the Moon that includes—

(A) a consideration of the resources necessary to accomplish such plan;

(B) collaboration and input from industry and the Department of Energy;

(C) the use of a variety of types of energy, including solar and nuclear; and

(D) a detailed description of the resources necessary for the Administration to build a lunar power facility with human-tended maintenance requirements during the subsequent 10-year period.

SA 2115. Mr. SCHUMER (for Ms. CORTEZ MASTO) proposed an amendment to the bill S. 1502, to make Federal law enforcement officer peer support communications confidential, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Confidentiality Opportunities for Peer Support Counseling Act” or the “COPS Counseling Act”.

SEC. 2. CONFIDENTIALITY OF PEER SUPPORT COMMUNICATIONS.

(a) DEFINITIONS.—In this section:

(1) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means a Federal agency that employs a law enforcement officer.

(2) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer” has the meaning given the term “Federal law enforcement officer” in section 115 of title 18, United States Code.

(3) PEER SUPPORT COMMUNICATION.—The term “peer support communication” includes—

(A) an oral or written communication made in the course of a peer support counseling session;

(B) a note or report arising out of a peer support counseling session;

(C) a record of a peer support counseling session; or

(D) with respect to a communication made by a peer support participant in the course of a peer support counseling session, another communication, regarding the first communication, that is made between a peer support specialist and—

(i) another peer support specialist;

(ii) a staff member of a peer support counseling program; or

(iii) a supervisor of the peer support specialist.

(4) PEER SUPPORT COUNSELING PROGRAM.—The term “peer support counseling program” means a program provided by a law enforcement agency that provides counseling services from a peer support specialist to a law enforcement officer of the agency.

(5) PEER SUPPORT COUNSELING SESSION.—The term “peer support counseling session” means any counseling formally provided through a peer support counseling program between a peer support specialist and 1 or more law enforcement officers.

(6) PEER SUPPORT PARTICIPANT.—The term “peer support participant” means a law enforcement officer who receives counseling services from a peer support specialist.

(7) PEER SUPPORT SPECIALIST.—The term “peer support specialist” means a law enforcement officer who—

(A) has received training in—

(i) peer support counseling; and

(ii) providing emotional and moral support to law enforcement officers who have been involved in or exposed to an emotionally traumatic experience in the course of employment; and

(B) is designated by a law enforcement agency to provide the services described in subparagraph (A).

(b) PROHIBITION.—Except as provided in subsection (c), a peer support specialist or a peer support participant may not disclose the contents of a peer support communication to an individual who was not a party to the peer support communication.

(c) EXCEPTIONS.—Subsection (b) shall not apply to a peer support communication if—

(1) the peer support communication contains—

(A) an explicit threat of suicide by an individual in which the individual—

(i) shares—

(I) an intent to die by suicide; and

(II) a plan for a suicide attempt or the means by which the individual plans to carry out a suicide attempt; and

(ii) does not solely share that the individual is experiencing suicidal thoughts;

(B) an explicit threat by an individual of imminent and serious physical bodily harm or death to another individual;

(C) information—

(i) relating to the abuse or neglect of—

(I) a child; or

(II) an older or vulnerable individual; or

(ii) that is required by law to be reported; or

(D) an admission of criminal conduct;

(2) the disclosure is permitted by each peer support participant who was a party to, as applicable—

(A) the peer support communication;

(B) the peer support counseling session out of which the peer support communication arose;

(C) the peer support counseling session of which the peer support communication is a record; or

(D) the communication made in the course of a peer support counseling session that the peer support communication is regarding;